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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT TACOMA**

MONDO VALDEZ,

Plaintiff,

v.

WASHINGTON STATE
PENITENTIARY, WASHINGTON
CORRECTION CENTER, STAFFORD
CREEK CORRECTION CENTER,
MONROE CORRECTIONAL
COMPLEX, and DEPARTMENT OF
CORRECTIONS,

Defendants.

NO. C10-5407 BHS/KLS

ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENSION OF TIME
TO RESPOND TO COURT'S ORDER

17 Before the court is Plaintiff's motion for an extension of time to respond to the court's
18 Order (Dkt. 10) directing him to file an amended complaint or to show cause why his
19 complaint should not be dismissed for failure to state a claim. Dkt. 11. Having reviewed the
20 motion and balance of the record, does hereby **ORDER:**

21 1) Plaintiff's motion for extension of time (Dkt. 11) is **GRANTED**. Plaintiff
22 shall file an amended petition which adequately addresses the issues raised in the court's order
23 (Dkt. 10) **on or before September 24, 2010**. If Plaintiff decides to file an amended civil
24 rights complaint in this action, he is cautioned that if the amended complaint is not timely
25 filed or if he fails to adequately address the issues raised herein on or before **September 24,**
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1 **2010**, the court will recommend dismissal of this action as frivolous pursuant to 28 U.S.C. §
2 1915 and the dismissal will count as a “strike” under 28 U.S.C. § 1915(g). Pursuant to 28
3 U.S.C. § 1915(g), enacted April 26, 1996, a prisoner who brings three or more civil actions or
4 appeals which are dismissed on grounds they are legally frivolous, malicious, or fail to state a
5 claim, will be precluded from bringing any other civil action or appeal in forma pauperis
6 “unless the prisoner is under imminent danger of serious physical injury.” 28 U.S.C. §
7 1915(g).

8 2) The Clerk shall send a copy of this Order to Plaintiff.
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10 **DATED** this 9th day of September, 2010.

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12 Karen L. Strombom
13 United States Magistrate Judge
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